



State of New Jersey

CHRIS CHRISTIE
Governor

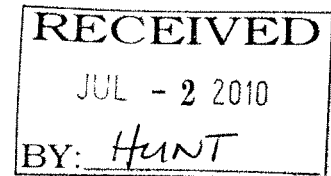
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

Bureau of Industrial Site Remediation
401 East State Street
P.O. Box 432
Trenton, NJ 08625-0432
Phone #: 609-777-0899
Fax #: 609-633-1454

JUN 29 2010



Glen Howarth
Delphi Facilities Services Group Director of Global Operations, North America
Delphi Automotive Systems LLC
5825 Delphi Drive
M/C 480-410-186
Troy, MI 48098

RE: Site Name: Delphi Automotive Systems LLC
Site Address: 760 Jersey Avenue, New Brunswick, Middlesex County
PI Number: 001849
Case #: E20060211

Dear Mr. Howarth:

This letter is to advise you of the status of the Department's review of the above referenced case, submitted under the provisions of the Industrial Site Recovery Act. Based upon the number of cases undergoing remediation and the limited amount of available Department resources, your case will no longer have an assigned case manager. It is recommended that you hire a Licensed Site Remediation Professional (LSRP) and proceed without the Department's pre-approvals. This letter is intended to provide information to help you understand how you may benefit in moving your remediation forward under the procedures established pursuant to the Site Remediation Reform Act (SRRA) enacted on May 7, 2009.

The SRRA establishes an affirmative obligation for responsible parties to remediate discharges at their sites. The SRRA also establishes criteria for the LSRPs, who will be responsible for overseeing remediations and certifying that the remediation work is done in accordance with all prevailing statutes, regulations and guidance without the need for Department pre-approval. The timeframes and criteria that define when a LSRP must be hired, as well as other requirements of SRRA, may be found in rules adopted on November 4, 2009 (please refer to the Administrative Requirement for the Remediation of Contaminated Sites, ("ARRCS Rule") N.J.A.C. 7:26C and the Technical Requirements for Site Remediation ("Tech Regs") N.J.A.C. 7:26E.). These rules can be found at <http://nj.gov/dep/srp/regs/>

While the ARRCS Rules at N.J.A.C. 7:26C-2.2(a) and (b) do not compel you to hire a LSRP at this time, there are many benefits in utilizing a LSRP now. Specifically, a LSRP can make remediation decisions without the Department's prior approval, thereby eliminating delays inherent with waiting for the Department's review. In addition, an annual fee replaces the direct billing of the past and allows for predictability in budgeting. At the same time, be assured the Department is committed to working in a compliance assistance mode for cases that have a LSRP of record and will not be issuing Notices of

Deficiencies. Lastly SRRA requires that by May 7, 2012, all cases whether or not they are being actively remediated, **must** hire a LSRP and proceed without Department pre-approval.

In addition, it is important to note that, regulatory and mandatory timeframes that started March 1, 2010, may apply. These timeframes are for completion of an Initial Receptor Evaluation, a Preliminary Assessment/Site Investigation, if required, and responding to the presence of petroleum free product (Light Non-Aqueous Phase Liquid or LNAPL). The submissions for these activities are due to the Department by November 26, 2010. Depending on site-specific conditions, regulatory and mandatory timeframes related to "Immediate Environmental Concern" (IEC) conditions could also apply and are triggered from the date of identification of the IEC. Regardless of whether you choose to enter into the LSRP program at this time, you are still obligated to meet all statutory, regulatory, and mandatory timeframes. To better understand these timeframes and related activities, including the ongoing evaluation of potential impacts to public health and the environment, and what constitutes an IEC, etc., please consult the referenced rules and the following links:

http://www.state.nj.us/dep/srp/srra/srra_summary_changes.pdf,
http://www.nj.gov/dep/srp/guidance/srra/draft_lnapl_guidance.pdf,
http://nj.gov/dep/srp/srra/forms/receptor_evaluation_report.pdf
http://www.nj.gov/dep/srp/guidance/srra/draft_iec_guidance.pdf

It is important to note that, for discharges which were discovered more than 10 years prior to May 1, 2009, where the party responsible for the remediation has not completed a remedial investigation, the SRRA includes a statutory timeframe (State law not subject to modification) requiring that the remedial investigation be completed within 5 years of the effective date of the Act.

The Department strongly encourages you to hire a LSRP to proceed with any outstanding remedial activities. A list of temporary LSRPs can be found at http://www.nj.gov/dep/srp/srra/lrsp/temporary_lsrp_list.htm.

The Department hopes that this new approach to site remediation presents an opportunity for you to resolve any outstanding site remediation obligations using the services of a LSRP since the Department cannot guarantee that it will complete the review of any documents awaiting its review before the May 7, 2012 date when you will be required to use a LSRP.

Should you have any technical and/or administrative questions regarding this new program, please refer to the "Contact List for Questions on LSRP" located at http://www.nj.gov/dep/srp/srra/srra_contacts.pdf or contact Maurice Migliarino, Section Chief at (609) 633-1424

Sincerely,


Mark J. Pedersen, Chief
Bureau of Industrial Site Remediation

C: Joel Fradel, NJDEP/BGWPA
James Hunt, Delphi Automotive Systems LLC